IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE D.S.R.VARMA

WRIT PETITION NO : 18119 of 1994

Between:

1 G. Damodar Reddy S/o. G. Dayanand Reddy
R/o. Pathagadi Road, Kama Reddy, Nizamabad District.
2 P. Narsimha Reddy S/o. P. Veera Reddy
Nalgonda, Nalgonda District.
3 P. Krishna Reddy S/o. Malla Reddy
R/o. Nalgonda, Nalgonda District.

..... PETITIONERS

AND

1 Govt,. of A.P. rep. by its Secretary, Panchayat Raj and Rural Development Dept., Secretariat Buildings, Hyderabad.
2 The Govt. of A.P. rep. by its Secretary, Education Dept., Secretariat, Hyderabad.,
3 The District Special Officer, Zilla Praja Parishad, Nizamabad, Nizamabad District.
4 The District Special Officer, Zilla Praja Parishad, Nalgonda Nalgonda District.
5 The District Collector, Nizambad, Nizambad District.
6 The District Collector, Nalgonda, Nalgonda District.
7 District Education Officer, Nizambad, Nizambad District.
8 District Educational Officer, Nalgonda, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the

circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, Order or direction, declaring that G.O.Ms.No. 221, Education Department, dated 16-7-1994 as unconstitutional and illegal and further direct the Respondents to appoint the Petitioners as Teachers before any appointments and made as Teachers in the existing vacancies in A.P. State controlled Bodies after appointing the persons earlier covered by the order of this Hon'ble Court in W.P.M.P.Nos. 17958/94 etc., in W.P.Nos.17104 of 1994 etc., batch dated 8-9-1994 after declaring that Art. 323-A Clause 2 (d) of the Constitution and Section 28 of A.P. Administrative Tribunal Act, 1985 as unconstitutional for violating the basic structure and pass such other or further orders.

Counsel for the Petitioners : MR.V.SATYAM REDDY

Counsel for the Respondents : GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

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O R D E R :-

It is represented by the learned counsel for the petitioners as well as the learned Government Pleader for Panchayat Raj that this Writ Petition is not maintainable, in view of the Judgment of the Supreme Court in ***L.CHANDRAKUMAR Vs. UNION OF INDIA*** and the remedy of the petitioners is to approach the Andhra Pradesh Administrative Tribunal.

In the circumstances, this Writ Petition is dismissed, giving liberty to the petitioners to approach the Andhra Pradesh Administrative Tribunal and seek redress of their grievance, if the petitioners are so advised and so chosen. No costs.

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09-07-2004

prv

To

1 The Secretary, Govt,. of A.P., Panchayat Raj and Rural Development Dept., Secretariat Buildings, Hyderabad.
2 The Secretary, Govt. of A.P., Education Dept., Secretariat, Hyderabad.,
3 The District Special Officer, Zilla Praja Parishad, Nizamabad, Nizamabad District.
4 The District Special Officer, Zilla Praja Parishad, Nalgonda, Nalgonda District.
5 The District Collector, Nizambad, Nizambad District.
6 The District Collector, Nalgonda, Nalgonda District.
7 The District Education Officer, Nizambad, Nizambad District.
8 The District Educational Officer, Nalgonda, Nalgonda District.

9 2CCs to GP for PANCHAYAT RAJ & RURAL DEVELOPMENT.

10 The Registrar, A.P.A.T., Hyderabad.

11 2CD copies

THE HON'BLE MR JUSTICE D.S.R.VARMA

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WRIT PETITION NO : 17741 of 1994

DATED 09-07-2004